

AN ORDINANCE

9 7736

APPROVING THE ASSIGNMENT AND AMENDMENT OF AN EIGHT (8) YEAR LEASE AGREEMENT FROM MS. ODILIA CASTORENO D/B/A ODIE'S IMPORTS TO MR. ANTONIO AMEZCUA D/B/A LYRIS IMPORTS IN THE CITY OF SAN ANTONIO'S FARMER'S MARKET AT MARKET SQUARE IN CITY COUNCIL DISTRICT 1.

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WHEREAS, it is the policy of the City of San Antonio to lease public property in the Farmers Market in Market Square, located at 514 West Commerce Street in City Council District 1, for retail and food sales purposes as per the policies established in Chapter 32, Article II of the City Code of the City of San Antonio; and

WHEREAS, most recently, Ordinance No. 94567, passed and approved on September 20, 2001 authorized the execution of an eight year Lease Agreement with 29 tenants in the City's Farmers Market for the period September 1, 2001 through August 31, 2009; and

WHEREAS, Ms. Odilia Castoreno d/b/a Odie's Imports, one of the current tenants in this City facility, presently leases the space identified as In-Line Store 9 of approximately 1,327 square feet of retail space; and

WHEREAS, Ms. Castoreno has requested to assign the lease agreement to Mr. Antonio Amezcua d/b/a Lyriss Imports, and has submitted the required application fee; and

WHEREAS, Mr. Amezcua has provided City staff with all required documents which includes financial information, a business license and tax identification; and

WHEREAS, Mr. Amezcua will continue to pay rent, utilities and garbage collection fees as required by the original agreement; and

WHEREAS, the lease agreement term will be amended to reflected updated "owner presence" requirement and limiting events of default by tenant; and

WHEREAS, it is in the best interest of the City of San Antonio to assign the lease of said public property in the City's Farmers Market to the new tenant; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The City Manager or her designee is hereby authorized to execute an Assignment of Lease Agreement (with Landlord's Consent) with Mr. Antonio Amezcua doing business as Lyriss

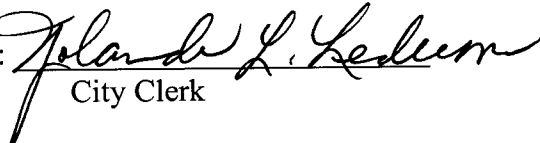
Imports for In-Line Store 9 with approximately 1,327 square feet of space. A copy of said Assignment of Lease Agreement (with Landlord's Consent) is affixed hereto and incorporated herein for all purposes as Attachment I.

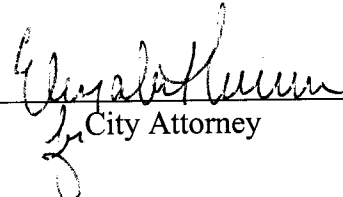
Section 2. All revenue received from said lease agreement shall be deposited into the City General Fund into Revenue Index No. 016865.

Section 3. This ordinance shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this _____ 5th _____ day of June, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney